

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

JAMES AND KELARA GHAI SAR,)
Individually and as Personal Representatives)
and Co-Administrators of the Estate of Bijan C.)
Ghaisar, Deceased,)

Plaintiffs,)

v.)

UNITED STATES OF AMERICA,)
Defendant.)

Case No. 1:19-cv-1224 (CMH/IDD)

JOINT STATUS REPORT

Pursuant to the Court's December 9, 2022 Order (Dkt. 158), the parties submit this status report.

Since the hearing on December 9, 2022, Plaintiffs have asked counsel for the United States for the United States' position on use immunity for the officers. Section 6003 of Title 18, United States Code, empowers United States Attorneys, after obtaining the approval of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any designated Assistant Attorney General or Deputy Assistant Attorney General , to seek a court order to compel testimony of a witness appearing in court proceedings. When such an order issues, "no testimony or other information compelled under the order (or any information directly or indirectly derived from such testimony or other information) may be used against the witness in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the order." 18 U.S.C. § 6002.

Pursuant to the Court's request, the United States has initiated the process outlined in § 9-23.130 of the Justice Manual to determine whether an order conferring use immunity will be

requested from the Court. This process requires consultation with various DOJ components, among other stakeholders, and is expected to take several weeks to complete. The parties propose that by January 23, 2023—approximately 30 days from today—the United States will either move the Court to enter an order of use immunity or provide another status update to the Court.

Respectfully submitted,

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Date: December 23, 2022

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